



COPY OF PAPERS  
ORIGINALLY FILED

Serial No. 10/045,653  
Attorney Docket No. 40025.002  
Confirmation No. 9868

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application:  
Michael Vyvoda, et al.

Serial No.: 10/045,653

Filed: November 7, 2001

For: **Metal Structures for Integrated  
Circuits and Methods for Making the Same**

Group Art Unit: 2812

Examiner: Unassigned

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**TRANSMITTAL OF MISSING PARTS**

In response to the Notice to File Missing Parts dated March 20, 2002, Applicant submits  
the following documents:

Fee Transmittal Sheet;

Extension of Time;

Declaration and Power of Attorney (combined); and

Assignment with Recordation Cover Sheet.

I hereby certify that this correspondence is being deposited with the United  
States Postal Service as First Class Mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D. C. 20231, on this 19<sup>th</sup>  
day of June 2002.

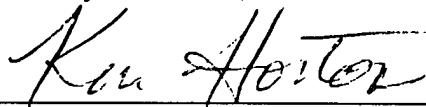
Signed: Emily J. Foley

Dated: 6/19/02

Enclosed is also a copy of the Notice to File Missing Parts (the "Notice"). In further response to that Notice, please charge the necessary fees as indicated on the Fee Transmittal Sheet to our Deposit Account No. 18-0013/40025-0002.

If there is any fee due in connection with the filing of this Response, including a fee for any extension of time not accounted for above, please charge the fee to our Deposit Account No. 18-0013/40025-0002.

Respectfully Submitted,

By   
KENNETH E. HORTON  
Reg. No. 39,481

Date: June 19, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/045,653	11/03/00 <b>COPY OF PAPERS ORIGINALLY FILED</b>	Mike Vyvoda	40025.002

27966  
KENNETH E. HORTON  
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SOUTH JORDAN, UT 84095

CONFIRMATION NO. 9868

## FORMALITIES LETTER



\*OC000000007676461\*

Date Mailed: 03/20/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/01/2002 JBALINAN 00000124 180013 10045653

FILED UNDER 37 CFR 1.53(b)

01 FIC:101 740.00 CH  
02 FIC:102 840.00 CH  
03 FIC:103 306.00 CH  
04 FIC:105 130.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$906.
  - \$234 for 13 total claims over 20.
  - \$672 for 8 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1776.

The following item(s) appear to have been **omitted** from the application:

- Page(s) 16 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a

supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

B. Hebtewald

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE